

ASSEMBLY BILL

No. 2592

Introduced by Assembly Member Cooper

February 19, 2016

An act to amend Section 11209 of the Health and Safety Code, relating to prescriptions.

LEGISLATIVE COUNSEL'S DIGEST

AB 2592, as introduced, Cooper. Prescriptions.

Existing law, the California Uniform Controlled Substances Act, classifies controlled substances into 5 designated schedules, with the most restrictive limitations generally placed on controlled substances classified in Schedule I, and the least restrictive limitations generally placed on controlled substances classified in Schedule V. Existing law prohibits the delivery of Schedule II, III, or IV controlled substances to a pharmacy unless a receipt for the merchandise is signed by a pharmacist or authorized receiving personnel. A violation of this provision is a crime.

This bill would make nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11209 of the Health and Safety Code is
2 amended to read:
3 11209. (a) ~~No~~A person shall *not* deliver Schedule II, III, or
4 IV controlled substances to a pharmacy or pharmacy receiving
5 area, nor shall any person receive controlled substances on behalf

1 of a pharmacy unless, at the time of delivery, a pharmacist or
2 authorized receiving personnel signs a receipt showing the type
3 and quantity of the controlled substances received. Any discrepancy
4 between the receipt and the type or quantity of controlled
5 substances actually received shall be reported to the delivering
6 wholesaler or manufacturer by the next business day after delivery
7 to the pharmacy.

8 (b) The delivery receipt and any record of discrepancy shall be
9 maintained by the wholesaler or manufacturer for a period of three
10 years.

11 (c) A violation of this section is a misdemeanor.

12 (d) Nothing in this section shall require a common carrier to
13 label a package containing controlled substances in a manner
14 contrary to federal law or regulation.